

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney/Agent **Mr. Charles W. Stewart** on **April 09, 2009**.

The application has been amended as follows:

In the Claim

Claim 29, line 3-4, --, -- has been inserted before "based on".

Claim 35, line 6, "non-noble" has been deleted.

Claim 35, line 7, --the group consisting of-- has been inserted after "from".

Claim 35, line 7, "aluminium" has been changed to --aluminum--.

Claim 45, last line, "further" has been deleted.

Claim 46, line 6, "non-noble" has been deleted.

Claim 50, line 2, "includes" has been deleted and replaced with --is--.

Claim 54, last line, "further" has been deleted.

Claim 55, line 6, "non-noble" has been deleted.

Claim 55, line 7, --the group consisting of-- has been inserted after "from".

Claim 55, line 7, "aluminium" has been changed to --aluminum--.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or fairly suggest an unsupported catalyst composition comprises a Group VIb metal component, a Group VIII metal component, and a refractory oxide metal which comprises 50 wt.% or more titania, and wherein the titania includes a titania powder having an average particle diameter of 50 microns or less and in combination with the claimed metal concentrations being required in the instant claims 28, 40, & 49. The prior art catalyst compositions are shown to contain the above metals supported on a refractory oxide metal support rather than being co-precipitated or formed together with the support material. The claimed catalyst composition appears to distinguish from the catalyst composition of the prior art of record. There is no motivation to combine the teachings of the references together.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Claims 28-35, 40-47, & 49-56 are pending. Claims 28-35, 40-47, & 49-56 are allowed.

Contacts

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner CAM N. NGUYEN, whose telephone number

is 571-272-1357. The examiner can normally be reached on M-F, 9:00 AM - 6:30 PM, at alternative work site.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman, can be reached on 571-272-1358. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cam N. Nguyen/

Primary Examiner

Art Unit: 1793

/C. N. N./

April 09, 2009